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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,797	02/25/2002	Masahiro Sawada	9683/106	2048

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EXAMINER

DESIR, PIERRE LOUIS

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/082,797

Applicant(s)

SAWADA ET AL.

Examiner

Pierre-Louis Desir

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 31 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 May 2005 and 25 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 09/19/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

BM

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 22-23, and 25-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Drury et al. (Drury), U.S. Patent No. 6707421.

Regarding claim 22, Drury discloses a location management apparatus comprising a location information storage in which locations of the mobile stations are identifiable with reference to communication areas where the mobile stations are situated (see abstract, col. 2, line 59 through col. 3, line 14, and col. 17, lines 41-55), and transportations on which the mobile stations are being carried (i.e., the system include a storage for a unique identification of the information system, which includes information the make, model, color of the vehicle) (see abstract, and col. 36, lines 50-53); and a transportation location finder (in-vehicle navigation system) that identifies a communication area where a transportation is situated (i.e., route information) (see col. 2, lines 57-60), wherein the location information storage is accessible to find a communication area where a particular mobile station is situated or a communication area, using the transportation location finder (see abstract, col. 2, line 59 through col. 3, line 14, and col. 17, lines 41-55), where a transportation is situated on which the particular mobile station is

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being carried (see abstract, col. 2, line 59 through col. 3, line 14, and col. 17, lines 41-55, and col. 36, lines 50-53).

Regarding claim 23, Drury discloses an apparatus (see claim 22 rejection) wherein the communication area is a paging area (i.e., Drury discloses that the database includes information related to roads in the road network (i.e., paging network) within a first geographic area) (see col. 2, lines 59-62).

Regarding claim 25, Drury discloses an apparatus wherein the transportation location under determines the communication area where the transportation is situated, using a geographical location of the transportation (see col. 24, lines 47-50).

Regarding claim 26, Drury discloses an apparatus wherein the transportation location finder is activated to find the communication area where the transportation is situated when a communication has to reach a mobile station being carried on the transportation (i.e., the in-vehicle system includes a mode in which activation of the air-bag system, or some other indication of an emergency situation, automatically initiates a request for assistance. Thus, the in-vehicle system includes a mode wherein activation of an emergency situation, would automatically initiates a request for assistance, which would inherently find the communication area where the vehicle is located) (see col. 36, lines 64-67).

Regarding claim 27, Drury discloses an apparatus (see claim 22 rejection) wherein the location information storage and the transportation location finder are located on different servers functionally connected to each other (see col. 6, lines 36-45).

Regarding claim 28, Drury discloses an apparatus (see claim 22 rejection) wherein the location information storage comprises a first table in which the locations of the mobile stations

are identified with reference to the communication areas where mobile stations are situated, and the transportations on which mobile stations are being carried (see abstract, col. 2, line 59 through col. 3, line 18), and a second table in which locations of the transportation are identified with reference to communication areas where the transportations are situated (see abstract, col. 2, line 59 through col. 3, line 18).

Regarding claim 29, Drury discloses an apparatus (see claim 28 rejection) wherein the second table is updated by an update request from the transportation location finder receiving geographical locations of the transportations (see col. 21, lines 14-16).

Regarding claim 30, Drury discloses an apparatus (see claim 22 rejection) further comprising a receiver that receives travel information from a mobile station, which transmits the travel information in response to a paging signal initiated by the location management apparatus (i.e., GPS receiver) (see col. 7, lines 17-22).

Regarding claim 31, Drury discloses an apparatus (see claim 30 rejection) wherein the travel information comprises a geographical location of the mobile terminal (see col. 7, lines 17-22), a traveling direction thereof and a traveling speed thereof (see col. 5, lines 33-37).

Regarding claim 32, Drury discloses an apparatus (see claim 25 rejection) further comprising transportation travel information storage accessible by the transportation location finder, which maintains geographical locations of the transportations (see abstract, col. 2, line 59 through col. 3, line 14, and col. 17, lines 41-55).

Regarding claim 33, Drury discloses an apparatus (see claim 32 rejection) wherein the transportation travel information storage stores travel statuses of the transportations, wherein the travel status comprises a delay in schedule (see col. 7, lines 52-57).

Regarding claim 34, Drury discloses an apparatus (see claim 33 rejection), wherein the travel status of the transportations are receivable by the location management apparatus (see col. 7, lines 52-57).

Regarding claim 35, Drury discloses an apparatus (see claim 32 rejection) further comprising a schedule information storage that stores travel schedules of the transportations, wherein based on information stored in the transportation travel information storage and the schedule information storage, the location management apparatus determines a future location of a transportation (see col. 7, lines 52-63).

Regarding claim 36, Drury discloses an apparatus (see claim 35 rejection) wherein the travel schedules of the transportations are receivable by the location management apparatus (see col. 7, lines 52-63).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 24 and 37-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drury in view of Ushiki et al. (Ushiki), Pub. No. US 20010049282.

Drury discloses an apparatus as described above (see claim 22 rejection).

Although Drury discloses an apparatus as described, Drury does not specifically disclose an apparatus wherein a location of a mobile station stored in the location information storage is

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updated by a registration request from the mobile station which identifies either a communication area which the mobile station enters or a transportation on which the mobile station moves.

However, Ushiki discloses that it is well known to have a mobile communication system wherein a location of a mobile station stored in the location information storage is updated by a registration request from the mobile station, which identifies either a communication area (see abstract and page 1, paragraphs 6-7). Also since the vehicle is being identified by the unique identification code (see abstract), one skilled in the art would unhesitatingly conceptualize that when the location of the mobile station is updated, inherently, the transportation and the mobile station will be identified.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described to arrive at the claimed invention. A motivation for doing so would have been to provide an accurate up-to-date location information database.

Regarding claim 38, Drury discloses a mobile station (see abstract) comprising a locator that determines a communication area where the mobile station is situated (see abstract, col. 2, line 59 through col. 3, line 14, and col. 17, lines 41-55); a transportation identifier that identifies a transportation on which the mobile station is being carried i.e., the system include a storage for a unique identification of the information system, which includes information the make, model, color of the vehicle) (see abstract, and col. 36, lines 50-53).

Although Drury discloses a mobile station as disclosed, which inherently comprises of request generator to generate a location registration identifying the communication area (see abstract), Drury does not specifically disclose a mobile station comprising a request control that

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sends the location registration request identifying the communication area when the mobile terminal enters a new communication area, whereas sending the location registration request identifying the transportation when the mobile station moves on the transportation and suspending sending the registration request identifying the communication area until the mobile terminal moves off from the transportation.

However, Ushiki discloses that it is well known to have a mobile communication system wherein a location of a mobile station stored in the location information storage is updated by a registration request from the mobile station, which identifies either a communication area (see abstract and page 1, paragraphs 6-7). Also since the vehicle is being identified by the unique identification code (see abstract), one skilled in the art would unhesitatingly conceptualize that when the location of the mobile station is updated, inherently, the transportation and the mobile station will be identified.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described to arrive at the claimed invention. A motivation for doing so would have been to provide an accurate up-to-date location information database.

Regarding claim 39, Drury discloses a mobile station (see claim 38 rejection) further comprising a positioning device that determines a travel status of the mobile station, which comprises a geographical location of the mobile station (see col. 7, lines 52-63).

Regarding claim 40, Drury discloses a mobile station (see claim 39 rejection) wherein the travel status further comprises a traveling speed of the mobile station and a traveling direction thereof (see col. 5, lines 33-37).

Regarding claim 41, Drury discloses a mobile station (see claim 39 rejection) further comprising a transmitter that transmits the travel status in response to a paging signal (see col. 7, lines 52-63).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

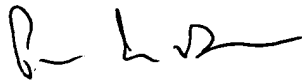
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre-Louis Desir whose telephone number is 703-605-4312. The examiner can normally be reached on (571) 272-7799.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Pierre-Louis Desir
AU 2681
10/03/2005


ERIKA A. GARRY
PRIMARY EXAMINER